

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA

v.

JOHNELL DESHAWN STEPNEY,  
Defendant.

Criminal No. 2:18-cr-156

STATEMENT OF FACTS

The United States and the defendant, JOHNELL DESHAWN STEPNEY, agree that had the matter gone to trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence:

1. This conspiracy to distribute cocaine, cocaine base and heroin began in approximately early 2009 and continued until the fall of 2018, with various conspirators and unindicted co-conspirators joining and leaving the conspiracy at various times. With respect to the above-referenced defendant, the parties agree that throughout the course of his participation in the conspiracy, a reasonable approximation of the drug weights attributable to the defendant should be 109.89 grams of cocaine base, also known as "crack cocaine," based on the information set forth below.

2. Under the direction and control of law enforcement, Confidential Source #9 made eight controlled purchases of crack cocaine from JOHNELL DESHAWN STEPNEY as follows:

- (1) November 27, 2017 – 6.1 grams of cocaine base;
- (2) December 8, 2017 – 10.7 grams of cocaine base;
- (3) December 20, 2017 – 11.7 grams of cocaine base;
- (4) January 19, 2018 – 10.3 grams of cocaine base;
- (5) February 16, 2018 – 10.6 grams of cocaine base;
- (6) March 1, 2018 – 20.5 grams of cocaine base;
- (7) May 4, 2018 – 26.9 grams of cocaine base;
- (8) May 24, 2018 – 12.7 grams of cocaine base.

3. On each of the above referenced occasions, CS-9 was searched before and after the controlled purchase with negative results, and was provided with government funds to complete the

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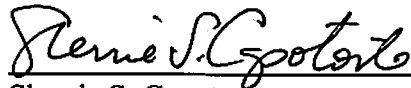
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transaction. On each occasion, CS-9 travelled to a location in Norfolk to meet STEPNEY and a surveillance team monitored the transaction. The controlled purchase was audio and video recorded. The suspected narcotics field tested positive for cocaine, and were later sent to the DEA lab for testing which confirmed the substance as cocaine base in the above referenced amounts.

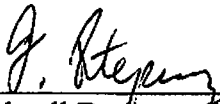
4. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States, and is not intended to be a full enumeration of all the facts surrounding the defendant's case. The actions of the defendant, as recounted above, were knowing and deliberate, and were not committed by accident, mistake or other innocent reason.

Respectfully submitted,


G. ZACHARY TERWILLIGER  
UNITED STATES ATTORNEY

By:   
Sherrie S. Capotosto  
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between myself and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

  
Johnell Deshawn Stepney  
Defendant

I am JOHNELL DESHAWN STEPNEY's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

  
Shawn M. Cline, Esq.  
Counsel for Defendant